

STATE OF WISCONSIN	CIRCUIT COURT	WAUPACA COUNTY
STATE OF WISCONSIN,		
Plaintiff,	CRIMINAL COMPLAINT	
vs.	CASE TYPE: CF	
CORNELIUS DUPREE RUSSELL	DA CASE #:	
1351 VANDERBRAAK ST	2021WP001047	
GREEN BAY, WI 54302	AGENCY CASE #:	
DOB: 01/09/1990	W21-12773	
SEX/RACE: M/B	DA/ADA ASSIGNED:	
EYE COLOR: BROWN	VERONICA ISHERWOOD	
HAIR COLOR: BLACK	JUDGE ASSIGNED:	
HEIGHT: 5 FT 10 IN		
WEIGHT: 210 LBS		
Defendant.		

The undersigned, being first duly sworn, states that:

Count 1: ATTEMPT FIRST DEGREE INTENTIONAL HOMICIDE

The above-named defendant on Sunday, July 25, 2021 at 4:21 PM, Waupaca County, Wisconsin, attempted to cause the death of VICTIM, with intent to kill that person, contrary to sec. 940.01(1)(a), 939.50(3)(a), 939.32 Wis. Stats.

Upon conviction for this offense, a Class B Felony, the defendant may be sentenced to a term of imprisonment not to exceed sixty (60) years.

Count 2: POSSESSION OF A FIREARM BY A FELON

The above-named defendant on Sunday, July 25, 2021 at 4:21 PM, Waupaca County, Wisconsin, did possess a firearm, having been convicted of a felony in this state, contrary to sec. 941.29(1m)(a), 939.50(3)(g) Wis. Stats.

Upon conviction for this offense, a Class G Felony, the defendant may be fined not more than Twenty Five Thousand Dollars (\$25,000), or imprisoned not more than ten (10) years, or both.

Count 3: OBSTRUCTING AN OFFICER

The above-named defendant on Sunday, July 25, 2021 at 4:21 PM, at WR 2 Farm field wood line edge, Mukwa Township WI, Waupaca County, Wisconsin, did knowingly obstruct an officer, while such officer was doing an act in an official capacity and with lawful authority, investigating a shooting., contrary to sec. 946.41(1), 939.51(3)(a) Wis. Stats.

Upon conviction for this offense, a Class A Misdemeanor, the defendant may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than nine (9) months, or both.

PROBABLE CAUSE:

Your complainant is an officer with the Waupaca County Sheriff's Office. Your complainant makes this complaint upon information and belief and upon reports and records of that department. Your complainant has relied upon these records in the past and has found them to be truthful and reliable.

Your complainant is aware that the defendant cannot possess a firearm having been convicted in adult court of the charges of Robbery with Threat of Force and First Degree Recklessly Endangering Safety - Use of a dangerous weapon on 5/29/2007 in Brown County Case #2006CF1265, and Battery by Prisoners on 11/11/2011 in Brown County Case #2011CF702. Those convictions remain of record and are unreversed.

Officers from the Waupaca County Sheriff's Office made the following reports:

On July 25, 2021 at approximately 04:23 P.M. officers were dispatched to a gunshot victim on the Wolf River in Waupaca County, WI. Officers were able to confirm the location of the victim, which was located south of a field on Ostrander Road on the bank near the river approximately 300 yards down river from a location known as party beach. Upon arrival it was noted the victim was being tended to by two individuals who indicated they were nurses and had heard the shot and came across the victim. The victim's head wound was actively bleeding and he was suffering seizures. The victim was eventually air lifted to the hospital where he was sedated and intubated.

Officers described the scene as being crowded with individuals and families tubing on the river. Many of the groups were loud and animated. Officers also responded to Fleese's Wolf River Tubing and Campground. Individuals were identified as they got off the river and questioned about the events leading up to the shooting and the identity of the shooter. At one point officers made contact with an individual who identified himself as Russell D. Cornielius, DOB 01/09/1990. Dispatch found no information on him. He had no identification on him but he allowed officers to take a picture of him and he was allowed to leave.

Eventually officers were able to identify a suspect. It was learned through multiple eye witnesses that the alleged shooter was identified as Cornelius Dupree Russell, DOB 01/09/1990 with an address in Green Bay. Witnesses identified the picture taken previously by officers as Russell confirming that he had been on the river that day and had gotten out at Fleese's. Officers learned that the victim and Russell were in the same tubing group that consisted of about eight people from the Green Bay area. Witnesses indicated that victim and Russell were not fighting prior to the shooting.

Det. Sgt. Loken reports he went to ThedaCare Medical Center on 7/28/2021 and met with victim in the ICU. Victim had surgery on 7/27/2021 and Victim was now able to speak. Victim indicated that he and his fiancé went on the tubing trip with a group of people. One of the couples was Cornelius Russell and victim's cousin. Victim explained that the group had stopped at one point on the river and he and Russell had both gone up on shore. Victim recalled Russell calling his name and when he looked over toward Russell he showed him a gun. Victim asked why he would bring that here? Victim estimated approximately 30 people tubing in the area when the gun was displayed. The next thing he knew he was climbing up the bank and a lady was telling him to "just lay still". Victim positively identified the shooter as Cornelius Russell and indicated he had known him for about eight years.

Det. Sgt. Loken also spoke to victim's fiancé at the hospital. She indicated she had clearly witnessed the shooting. The Victim was facing towards her and the shooter was facing away from her. She described the shooter turned around and pulled a gun from a back pack in his tube and shot victim, hitting him in the head. She indicated that victim had not made any aggressive movement towards Russell prior to him shooting. It looked to her that they were discussing something before he shot. She had not met the shooter prior to that day. She was also able to positively identify the shooter as Cornelius Russell.

Subscribed and sworn to before me on 08/06/21

Electronically Signed By:

Veronica Isherwood

District Attorney

State Bar #: 1022814

Electronically Signed By:

Detective Sergeant Tim Myers

Complainant